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7 *Attorneys for Defendants*  
HOFFMANN-LA ROCHE INC. [erroneously sued  
8 as F. Hoffmann-La Roche, Inc.] and  
GENENTECH, INC.

9  
10 **UNITED STATES DISTRICT COURT**  
11 **NORTHERN DISTRICT OF CALIFORNIA**

12 ANDREW SHEETS, an individual,  
13 KRISTINE SHEETS, an individual,

14 Plaintiffs,

15 v.

16 F. HOFFMAN-LA ROCHE LTD; F.  
HOFFMAN-LA ROCHE, INC.;  
17 GENENTECH, INC.; and DOES 1-100,,

18 Defendants.

Case No. 3:18-cv-04565-JST

The Hon. Jon S. Tigar

**JOINT STIPULATION TO (1) RESET  
HEARING DATES FOR MOTION TO  
REMAND [ECF 10] AND MOTION TO  
DISMISS [ECF 26]; AND (2) REVISE  
BRIEFING SCHEDULE PURSUANT TO  
FED. R. CIV. P. 6(b) AND CIVIL LOCAL  
RULE 6-1(b)**

[Removal from Superior Court of the State of  
California, County of Sonoma, Case No. SCV-  
262710]

Action Filed: June 28, 2018

1           **I.       MOTION TO REMAND**

2           WHEREAS, Plaintiffs Andrew Sheets and Kristie Sheets (“Plaintiffs”) timely filed a Notice  
3 of Motion and Motion to Remand the Case Back to State Court (“Motion to Remand”) pursuant to  
4 28 U.S.C. § 1447(c) on August 27, 2018 [ECF 10], with a hearing on the Motion to Remand initially  
5 set for October 16, 2018;

6           WHEREAS, Defendants Hoffmann-La Roche Inc. and Genentech, Inc. (“Removing  
7 Defendants,” and together with the Plaintiffs, the “Parties”) timely filed an opposition to the Motion  
8 to Remand on September 25, 2018 [ECF 17];

9           WHEREAS, Plaintiffs reply brief in support of the Motion to Remand is currently due on  
10 October 25, 2018 pursuant to a previous joint stipulation and order [ECF 24 & 25];

11           WHEREAS, the Motion to Remand is currently set to be heard November 8, 2018 pursuant  
12 to a previous joint stipulation and order [ECF 24 & 25];

13           **II.       MOTION TO DISMISS**

14           WHEREAS, Removing Defendants timely filed a Notice of Motion and Motion to Dismiss  
15 and Strike (“Motion to Dismiss”) on October 9, 2018 [ECF 26], with a hearing on the Motion to  
16 Dismiss set for December 13, 2018;

17           WHEREAS, Plaintiffs’ opposition to the Motion to Dismiss is currently due on October 23,  
18 2018 pursuant to Civil L.R. 7-3(a);

19           WHEREAS, the Removing Defendants reply brief in support of the Motion to Dismiss is  
20 currently due on October 30, 2018 pursuant to Civil L.R. 7-3(c);

21           **III.       AUTHORITY**

22           WHEREAS, Federal Rule of Civil Procedure Rule 6(b) provides that “[w]hen an act may or  
23 must be done within a specified time, the court may, for good cause, extend the time . . . if a request  
24 is made, before the original time . . . expires”;

25           WHEREAS, Civil L.R. 6-1(b) provides that the Removing Defendants and Plaintiffs may  
26 file a “request for a Court order enlarging... time...by written stipulation” where such extension  
27 would alter a deadline already fixed by the Court;

28   ///

1 WHEREAS, the Moving Defendants schedule conflicts with the Motion to Remand hearing,  
2 currently set for November 8, 2018;

3 WHEREAS, the Parties agree that it will be in their and the Court's best interest to  
4 consolidate hearings on the Motion to Remand and the Motion to Dismiss on the same day;

5 WHEREAS, the Parties are both available on December 6, 2018 for hearings on the Motion  
6 to Remand and Motion to Dismiss, and the Court appears to be available December 6, 2018 based  
7 on a review of the Court's online calendar;

8 WHEREAS, the Parties agree to revise the briefing schedule according to the proposed new  
9 hearing date for the Motion to Remand and Motion to Dismiss;

10 WHEREAS, the Parties hereby jointly agree and stipulate to modify the current briefing  
11 schedule as follows:

	<u><b>Current Deadline</b></u>	<u><b>New Deadline</b></u>
<u><b>Motion to Remand</b></u>		
Plaintiffs' Reply	October 25, 2018	November 8, 2018
Hearing	November 8, 2018	December 6, 2018
<u><b>Motion to Dismiss</b></u>		
Plaintiffs' Opposition	October 23, 2018	November 8, 2018
Removing Defendants' Reply	October 30, 2018	November 22, 2018
Hearing	December 13, 2018	December 6, 2018

21 WHEREAS, with respect to the deadlines extended herein, each Party to this Joint  
22 Stipulation agrees not to assert against any other Party to this Joint Stipulation any defense based  
23 on the failure to meet an original deadline prescribed by Federal rule or statute, so long as the Parties  
24 timely file the applicable motion or pleading within the deadlines prescribed herein;

25 WHEREAS, this stipulation is not intended to operate as an admission of any factual  
26 allegation or legal conclusion and is submitted subject to and without waiver of any rights, defenses,  
27 affirmative defenses, or objections, including without limitation, those related to personal  
28 jurisdiction, service of process, or statute of limitations.

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**~~PROPOSED~~ ORDER**

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated: October 17, 2018

  
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JUDGE TIGAR

**ATTESTATION OF SIGNATURE**

Pursuant to Civil L.R. 5-1(i), the undersigned hereby attests that concurrence in the filing of this document has been obtained from all signatories hereto.

Dated: October 12, 2018

/s/ Alexander Guney  
Alexander Guney